

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JOHN VALENTE,

Plaintiff,

:

Case No. 3:08-cv-225

-vs-

Magistrate Judge Michael R. Merz

:

UNIVERSITY OF DAYTON,

Defendant.

---

---

**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

---

---

This case is especially assigned to the undersigned to consider Plaintiff's Motion to Vacate Motion to Vacate the Order of Reference in this case (Doc. No. 88). On August 24, 2009, Magistrate Judge Merz filed a Report and Recommendations (Doc. No. 111) recommending that the Motion be denied. As with any dispositive motion in a case, the parties were notified of their right to object to the Report and Recommendations within ten days of its filing, a period extended to and including September 11, 2009, by operation of Fed. R. Civ. P. 6(e).

The time for objections having expired and no objections having been filed, the Report and Recommendations are adopted and Plaintiff's Motion to Vacate the Order of Reference is denied.

September 14, 2009.

**\*S/THOMAS M. ROSE**

---

Thomas M. Rose  
United States District Judge